REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the above amendments and following remarks.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-19 are currently pending and were rejected. Claims 1-19 are canceled. Claims 20-68 are new.

II.   THE REJECTIONS UNDER 35 U.S.C. § 101

Claims 8-19 were rejected under 35 U.S.C. § 101 as the claimed invention is allegedly directed to non-statutory subject matter. Claims 8-19 have been canceled to obviate the Examiner's rejections.

III.   THE REJECTIONS UNDER 35 U.S.C. § 102(b)

Reulein

Claims 1-8, 10-13, and 17-19 are rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Pat. App. No. 2004/0205656A1 to Reulein et al. (hereinafter "Reulein"). As an initial matter, Applicant respectfully submits that Reulein does not qualify as prior art under 35 U.S.C. 102(b) as the Reulein reference was not published more than one year prior to the filing date of the instant application. Although Reulein may qualify as prior art under 35 U.S.C. 102(e) insofar as the filing date of Reulein is prior to the filing date of the instant application, Applicant does not admit that Reulein was filed before the invention date of the instant application.

Claims 14-16 are rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent No. 6,584,480B1 to Ferrel et al. (hereinafter "Ferrel '480"). Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reulein in view of U.S. Patent No. 5,907,837 to Ferrel et al. (hereinafter "Ferrel '837").

As recited in independent claim 20, the instant invention is directed to *inter alia*:

"An automated document publishing system comprising ...

a document type store containing a plurality of document types, each document type identifying **a document structure definition for use in the construction of a document edition**, each document structure definition comprising a hierarchy of element definitions ...

a content library store containing a library of content components, each component being capable of use in a plurality of documents;

an element store containing **a plurality of elements for use in the construction of a document edition, each said element being defined by a said element definition** and identifying a said component;

a document manager for using a selected said document type, said business data, and said elements to form a document structure for a document edition to identify a plurality of said elements, each said element identifying a said component and/or at least one other said element ..." (Emphasis added)

As understood by Applicants, Reulein discloses a data structure and method of automatically creating a plurality of individually customized documents based on document components and rules governing document assembly. Document specific data and text specific to individuals is provided with a document request that initiates assembly of a document. Each requested document is assembled automatically in response to the rules and provided data and text.

Reulein, however, does not teach or suggest a document type store containing a plurality of document types, each document type identifying **a document structure definition for use in the construction of a document edition**, each document structure definition comprising a hierarchy of element definitions. Instead, Reulein discloses the construction (or assembly) of a document based solely on rule statements derived from business rules. For example, as described in paragraph [0031], the assembly unit of Reulein "interrogates client specific document assembly rules and applies the rules to specify replacement, deletion or insertion of variable text and variable data, as appropriate." The use of document assembly rules to construct a document does not teach or suggest a document structure definition for use in the construction of a document edition.

While Reulein does disclose the use of "Document Type Definitions" and/or schemas in paragraph [0043], for example, the use of document type definitions and/or schemas in Reulein relates simply to verifying a document's integrity in a testing area, once the document has already been assembled by the rules described in the preceding paragraph. In fact, the document structure in Reulein appears to be read or "stripped" from each document component at the time of assembly as opposed to a document structure definition or "framework" being stored prior to assembly and used for assembly, as in the instant invention, serving as further evidence that Reulein fails to teach or suggest using any type of document structure definition for use in the construction of a document edition.

As Reulein does not disclose a document structure definition, it follows that Reulein does not disclose a **plurality of elements for use in the construction of a document edition, each said element being defined by a said element definition** as disclosed in the instant invention.

-13-

Applicant submits that the significance of such a feature in the present invention is that it allows the structure to vary in each instance of a document assembly based on the plurality of elements.

Moreover, Reulein does not teach or suggest the separation of properties related to the **document structure definition** (i.e., document structure definitions and elements with a defined structural path and a pointer to content) and properties related to the **content components** (i.e., the subject matter and attributes of content), which allows content components to appear in documents of differing purposes as instantiated in the document structure definitions.

Finally, as understood by Applicants, Reulein discloses a rule stack that chooses predetermined numbered content components based on layered, hierarchical business data, similar to a customization engine. The present invention, in contrast, locates candidates for inclusion from among the elements (invoking the structural rules) and evaluates them based on multiple tests against content properties, business data, and the current environment (which is partly constructed by document structure) for document assembly and versioning.

Ferrel

Ferrel '480 and Ferrel '837 fail to cure the defects of Reulein.

For at least the foregoing reasons, Applicants submit that independent claim 20 is patentable over the relied upon portions of Reulein and Ferrel. For the same, or similar reasons, independent claims 44 and 68 are patentable over the relied upon portions of Reulein and Ferrel.

IV.   DEPENDENT CLAIMS

The other claims in this application are each dependent on an independent claim discussed above, and are therefore believed patentable for at least the same reasons. Since each

dependent claim is also deemed to define an additional aspect of the invention, however, the

individual reconsideration of the patentability of each on its own merits is respectfully requested.

<div align="center">

CONCLUSION

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In view of the foregoing, it is believed that all of the claims in this application are

patentable over the prior art, and an early and favorable consideration thereof is solicited.

Statements appearing above with respect to the disclosures in the cited references

represent the present opinions of the Applicants' undersigned attorney and, in the event that the

Examiner disagrees with any such opinions, it is respectfully requested that the Examiner

specifically indicate those portions of the respective reference providing the basis for a contrary

view.

Please charge any fees incurred by reason of this response and not paid herewith to

Deposit Account No. 50-0320.

                                        Respectfully submitted,
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